



October 10, 2017

Chairman Ajit Pai
Commissioner Mignon Clyburn
Commissioner Michael O’Rielly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel

c/o Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ET Docket No. 14-165 and GN Docket Nos. 12-268 and 14-166 Via Electronic Filing

Dear Chairman Pai, Commissioner Clyburn, Commissioner O’Rielly, Commissioner Carr, Commissioner Rosenworcel, and Ms. Dortch,

On behalf of The Historic Bama Theatre, located in Tuscaloosa, Alabama, that provides approximately 150 performances per year to 10,000 audience members and education programs to 3500 students, I write with concern about available spectrum and protection for our wireless microphones and backstage communications devices. The Bama Theatre was built in 1938 and has been operating continually since as a performing arts house. We are the home to 6 resident theatre and dance groups as well as the premiere venue for live concerts and theatrical performances in our area.

We strongly support the Commission’s proposal to expand Part 74 license eligibility to include persons and organizations that can demonstrate the need for professional, high-quality audio and have the capability of providing it through conscientious use of wireless microphones. We support and endorse the Comments filed in these dockets by The Performing Arts Wireless Microphone Working Group.

Professional performing arts organizations hold thousands of performances each year, and wireless microphones are essential to producing high-quality performances while mitigating significant public safety concerns. Professional wireless capability, with successful interference protection, is essential to our sector.

The Bama Theatre’s resident production company as well as the many schools and arts organizations that come through our doors own many wireless systems and many will be affected by this proposal.

The majority of the systems utilized in the Theatre are wireless microphones from Sennheiser although we have many Audio-Technical systems as well. We also have a handful of Shure IFBs. Between the resident production company and our resident theatre groups, we have around 60 microphone systems and 6 IFB systems. For a normal musical production, we operate anywhere between 20 to 32 wireless systems. We average two full scale musical or straight play productions a month lasting 7-10 days each. We have been able to do *some* inventory on our frequency range with the systems we have in house at the current time and of the 60 systems, we were able to inventory 40 and of those 40, 22 were purchased after the mandatory vacation of the 700mhz band, resulting in systems that were purchased in the 600mhz band. The remainder of the systems are in the 500mhz band and any subsequent purchases will be made in that range as well. Of our resident groups, 3 are High School theatre groups with extremely limited budgets and 2 are Non-Profit Community Theatre organizations. A major expense has already been made on each of these groups to purchase their systems and requiring them to essentially scrap those systems in favor of the 500mhz spectrum will be very detrimental to their already stressed bottom lines. All of our systems are tunable to a degree but are all in a “range” and can only go so far but not outside of that predefined spectrum.

These organizations as well as the resident production company either scrapped their existing systems in the 700mhz band or utilized manufacturers rebate/buyback programs to offset some of the transition expense. None of the 60+ systems are digital and all reside in the 500-600mhz spectrum.

The Theatre does not employ a full time technical director but the resident production company works to fulfill this need. This person voluntarily handles the maintenance of the majority of the 60 systems utilized and is monitoring the spectrum changes.

I would urge the Commission to grant a Part 74 license if an applicant can provide certification of:

- A mission statement of providing performing arts to the public;
- A history of professional-quality wireless audio presentations to audiences without interference;
- Technical guidance and frequency coordination by qualified professionals (active in audio engineering who have academic degrees or equivalent professional experience and who are familiar with radio-frequency coordination);
- A commitment to register for protection only the frequencies, times, and locations actually needed; and
- A practice of keeping logs of all wireless microphone uses, including frequencies, for all performances.

I appreciate that the Commission has sought Public Comment on this very important issue. Professional performing arts organizations and educational institutions should have access to reliably available spectrum with interference protection. I would request that the Commission consider the burden already borne by the performing arts

community in vacating the 700 MHz band. I am concerned about the cost of once again replacing my organization's sound equipment. Once that investment has been made, I would like some assurance that the system will work properly and without interference. Small, non-profit and education performing arts organizations already have a mountain of issues to wade through daily and they provide a multitude of benefits to every community. They have already replaced 700mhz systems at a significant cost and to do so again will render some obsolete. These schools and organizations preserve our cultural heritage; and providing education, enlightenment, and entertainment. They also contribute to local economies in every community across this country. I respectfully endorse the Commission's proposal to expand Part 74 LPAS rules to accommodate performing arts organizations and educational institutions that use fewer than 50 wireless microphones. The proposal is a much-needed solution that benefits the arts community and the public as well as the many new and emerging unlicensed white space technologies.

Sincerely,

David H. Jones